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Gp 2639

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Charles Christopher Romaniuk

Art Unit: 2631

Application No. 09/672,509

Examiner: Kumar, Pankaj

Filed: 09/29/00

Customer No: 026477

For: Pulse Controlled Phase Modulator

**Amendment**

Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231

There are no amendments.

**Remarks**

This is in response to the Office Action mailed March 22, 2004.

Claims 1-33 remain in this application.

Claims 1, 2, 4, and 6 stand rejected under 35 U.S.C. 102(e), as being anticipated by Fields 6035079.

As described in claim 1, the modulator device produces a continuous wave coherent phase modulated output signal. This is not taught by Fields. Fields teaches a device where, under one condition, "the output beam is substantially dark" (Col 5 rows 33-34) and where, under alternate conditions, "the output beam is the second split beam" (Col 5 row 36). In the current application, the modulator device claimed in claim 1 does not have a substantially dark output signal. The output signal is phase modulated and is a binary phase shift keying (BPSK) signal. Furthermore, as described in Tables 1 and 2 and in claim 1, in both the ON and OFF regions, the output signal is present. The output signal is a continuous wave coherent phase modulated signal and is not dark.

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